
CIRCUIT COURT ADMINISTRATIVE ORDERS

Volume I

CIVIL ADMINISTRATIVE ORDERS

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CIRCUIT COURT ADMINISTRATIVE ORDERS

Volume I
CIVIL ADMINISTRATIVE ORDERS

Part A
**STATEWIDE CIRCUIT COURT
CIVIL ADMINISTRATIVE ORDERS**

Part A STATEWIDE CIRCUIT COURT CIVIL ADMINISTRATIVE ORDERS

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Civil Administrative Order No. 1.1**RE: DOCUMENT TITLE: PLEADINGS INVOLVING MULTIPLE PARTIES**

Descriptive captions in all types of pleadings involving multiple plaintiffs and/or defendants shall clearly specify the party(ies) involved.

For example, a stipulation to dismiss a party shall specify which party is being dismissed. The same requirement applies to other documents such as motions, responsive pretrial statements, and settlement conference statements. The title should include the name of the party filing the document. For example, "Def. John Doe's Motion," "Def. John Doe's Responsive Pretrial Statement" or "Def. John Doe's Settlement Conference Statement."

When filing any type of *responsive* pleading such as an answer to a complaint, an answer to a crossclaim, or a memorandum in opposition, counsel shall indicate:

- (1) the name of the party responding,
- (2) the name of the document to which response is being made,
- (3) the name of the party who filed the pleading being responded to, and
- (4) the filing date of said pleading.

For example, "Defendant John Doe's Answer to Crossclaim of Defendant Jane Doe filed on 10/1/98" or "Plaintiff's Memorandum in Opposition to Defendant's Motion for Summary Judgment filed 10/15/98."

Civil Administrative Order No. 1.2**RE: AMENDMENTS TO PLEADINGS AND DOCUMENTS ALREADY FILED**

Under Rule 15(a) of the Hawai'i Rules of Civil Procedure, the first amendment to a pleading is automatically allowed, provided that rule requirements are met. Subsequent amendments can only be made by leave of Court, or by written consent of the adverse party.

Motions and stipulations to amend pleadings and documents shall state clearly *what* is being changed and *what* the change is. For example, the text of a motion or stipulation to amend a complaint shall restate the existing language and reflect the desired change. In addition, a copy of the proposed amended pleading must be attached.

Civil Administrative Order No. 1.4**RE: TRIAL DATE, HEARING DATE AND HEARING AND NON-HEARING
DESIGNATIONS ON STIPULATIONS, MOTIONS, AND MEMORANDA**

TRIAL DATE or HEARING DATE DESIGNATIONS

All documents filed with the Court, including stipulations, motions, and memoranda, shall reflect the trial date if one has been set, e.g. "TRIAL DATE: March 3, 1999." If a trial date has not been set, the document shall carry the designation "NO TRIAL DATE SET."

The hearing date, time, and judge shall be noted in any memorandum and/or document filed in anticipation of an upcoming hearing. An example of the proper designation is:

HEARING

DATE: January 10, 2000

TIME: 8:00 a.m.

JUDGE:

Memos, in particular, must be flagged to insure timely receipt by the hearing Judge and to obviate a time-consuming search for the proper daily calendar.

Place these designations on the first page of the document below the case number and title of the document. Failure to comply may result in the document not being considered by the Court or imposition of other sanctions.

NON-HEARING DESIGNATION

In the First Circuit or where permitted, a non-hearing motion shall include the designation "(Non-Hearing Motion)" below the civil number and title of motion. All memoranda submitted in response to a non-hearing motion shall carry this designation and shall refer to the date the motion was filed.

SHORT TITLE ON DOCUMENTS FILED WITH A MOTION

The full title of the motion need not be repeated on the memorandum, affidavit/declaration and/or the notice of hearing filed together with a hearing motion nor on the notice of motion filed together with a non-hearing motion.

Civil Administrative Order No. 1.5**RE: PROCEDURES FOR FILING OF COMPLAINTS; PROCEDURES FOR FILING OF AFFIRMATIVE PLEADINGS OTHER THAN THE INITIAL COMPLAINT**

(1) CIVIL INFORMATION SHEET

Every Complaint filed is required to be accompanied by a “Civil Information Sheet” [sample attached] which must be completed in full. Number of copies required: Original plus two (2) copies for the Court.

(2) RE: COMPLAINT - NUMBER OF COPIES REQUIRED

- (a) **Tort Cases:** Original and two (2) copies of the Complaint in all tort cases shall be filed with the Court.
- (b) **Request to Exempt Case from the Court Annexed Arbitration Program:** Original and two (2) copies of this document shall be filed with the Court.
- (c) **Any Complaint accompanied by a Request to Exempt from the Court Annexed Arbitration Program:** Original and two (2) copies of *each* document shall be filed with the Court.
- (d) **Non-Tort Cases:** Original and one (1) copy shall be filed with the Court.

(3) CASES TRANSFERRED FROM DISTRICT COURT

All civil cases transferred from District Court to Circuit Court require submission of the “Civil Information Sheet.”

Upon receipt of the “Notice of Docketing of Case” from the Clerk of the Circuit Court, *Plaintiff or Plaintiff’s attorney* shall submit the “Civil Information Sheet” within *seven (7) days* from the filing date of said notice to the Clerk of the Circuit Court. Said Plaintiff or attorney must also include on the “Civil Information Sheet” the Circuit Court Civil Number in the box at the bottom left corner entitled “Reserved for Court Use.”

The original and one (1) copy of the “Civil Information Sheet” shall be submitted along with one (1) copy of the Complaint and one (1) copy of any answers to said complaint to the Clerk of the Circuit Court.

(4) ADDITIONAL CLAIMS INFORMATION SHEET

Every affirmative pleading filed subsequent to the initial complaint is required to be accompanied by an “Additional Claims Information Sheet” [sample attached] and shall be completed in full. The term “affirmative pleading” as used above refers to Amended Complaints, Counterclaims, Crossclaims, Intervenor’s Complaint, Third-Party Complaints, etc.

[Civil Information Sheet]

[Instructions for Civil Information Sheet]

[Additional Claims Information Sheet]

[Instructions for Additional Claims Information Sheet]

Civil Administrative Order No. 2.1

**RE: HEARING or NON-HEARING DESIGNATIONS ON DOCUMENTS
SUBMITTED FOR COURT'S SIGNATURE**

Orders, judgments and other documents submitted for the Court's signature pursuant to a formal hearing shall reflect the exact hearing date, and the name of the presiding judge.

In courts where non-hearing motions are permitted, orders on non-hearing motions shall indicate the Judge who ruled on the motion and the filing date of the motion, and shall include the words "Non-Hearing Motion" below the title of the motion.

Civil Administrative Order No. 3.1**RE: SERVICE OF SUMMONS BY MAIL OR PUBLICATION**

Ex parte motions may be submitted to the Civil Motions and/or Administrative Judge in the First Circuit Court, and to assigned judges in the Second, Third and Fifth Circuits, seeking authorization for service by mail or by publication pursuant to Hawaii Revised Statutes §§634-23, 634-24, and 634-36. Each motion shall cite statutory authority, i.e. the specific section in H.R.S. Chapter 634 under which the motion is being brought. Motions are to be supported by sufficient facts based on personal knowledge to allow the Court to make a determination as to whether such service should be authorized. Statements such as “After due diligence the defendant cannot be found to be served” are insufficient. In addition, proposed orders submitted with the motion are to be worded in specific terms and must accurately reflect the requirements of the statutes.

The following requirements are to be followed for service by *mail* or by *publication*:

Service by Publication Under H.R.S. §634-36

Affidavits/declarations in support of ex parte motions must state: (1) facts rather than conclusions based on personal knowledge describing the methods, means, and attempts made to locate and effect personal service upon the defendant within the State; (2) whether a notice of such service and a certified copy of the summons and of the complaint were mailed to the defendant’s last known address by certified, registered or express mail, postage prepaid, return receipt requested, and if not, the facts supporting reasons why service by mail was not made; (3) other pertinent facts. The description of methods, means and attempts to locate and effect personal service on the defendant shall note, at a minimum, a check of the following sources: telephone information service, applicable police reports, city directory, and pertinent public records such as the Department of Commerce and Consumer Affairs for corporate defendants. The dates of and number of attempts made by the sheriff or other process server shall also be noted.

If the six month period for service of the complaint has expired or will expire before publication is completed, obtain an Order for Extension of Time from the Civil Administrative Judge in the First Circuit, or from the assigned judge in the Second, Third, or Fifth Circuit, and attach a copy of the order as an exhibit to the ex parte motion for service by publication. A forwarding address should be requested from the post office. Attach as an exhibit the FOIA request along with the response received. Additional attempts must be made to serve the complaint at all additional addresses through personal service and service by certified mail. If

service by certified mail was attempted, attach as an exhibit a copy of the returned envelope (not merely the receipt for certified mail).

The order for publication of summons shall contain the following language:

"Pursuant to Plaintiff's motion and affidavit/declaration, and good cause appearing therefor,
"IT IS HEREBY ORDERED, that service be made by publication of summons in (or insert name of the newspaper) a newspaper having a general circulation in the [First/Second/Third/Fifth] Circuit and suitable for the advertisement of notices of judicial proceedings, one each week in four (4) successive weeks, the last such publication to be not less than twenty-one (21) days prior to the return date specified in the attached summons."

Service by Mail Under H.R.S. §634-24

Affidavits/declarations in support of ex parte motions must state: (1) the general location of the property that is involved in the action; (2) facts rather than conclusions based on personal knowledge describing the methods, means, and attempts made to locate and effect personal service upon the defendant within the State; (3) other pertinent facts if applicable. No summons is required. The order for service by mail shall contain the following language:

"Pursuant to Plaintiff's motion and affidavit/declaration, and good cause appearing therefor,
"IT IS HEREBY ORDERED, that service be made by mailing to the party to be served certified copies of the following: the notice of service upon the Department of Commerce and Consumer Affairs (if the DCCA was served), the summons, the complaint, and this Order. Such mailing is to be by registered or certified mail, postage prepaid, return receipt requested and marked deliver to addressee only."

Service by Publication Under H.R.S. §634-23

Affidavits/declarations in support of such motion must state, in addition to the above affidavit requirements for service by mail the following: (1) whether or not certified copies of the complaint, the summons, and the order were mailed to the defendant at the defendant's last known address by registered or certified mail, postage prepaid, return receipt requested, and

returned unclaimed; (2) if not, the facts supporting reasons why service by mail was not made. The order accompanying the motion shall contain the language required for an order for publication under H.R.S. §634-36, and in addition, the following language if real property is involved:

"IT IS HEREBY FURTHER ORDERED that additional notice be made by posting of the summons on the real property involved."

Summons

The publication of summons should be in substantially the following form:

(NO CAPTION SHALL BE USED)

"STATE OF HAWAII"

To _____

YOU ARE HEREBY NOTIFIED THAT _____ ,
plaintiff has commenced an action in Civ. No. _____ , for _____
against you in the above entitled court wherein said
plaintiff prays for judgment in the sum of \$ _____.
(Description of real property should follow if applicable.)

YOU ARE HEREBY SUMMONED to appear in the courtroom of the
HONORABLE _____ , Honolulu, Hawaii, on _____ ,
the _____ day of _____ , 19____ , at _____ o'clock ____M. of said day
or to file an answer or other pleading and serve it before said
day upon _____ , plaintiff's attorney, whose
address is _____. If you fail to do so, judgment by
default will be taken against you for the relief demanded in the
complaint.

DATED, Honolulu, Hawaii _____ .

Clerk of Court

Civil Administrative Order No. 3.2

RE: SERVICE OF DISCOVERY MATERIALS

Whenever any discovery request is made of one party to another, *all* parties shall be served with copies of the request. The answering party shall likewise serve all parties with the discovery response, regardless of whether any joinders in the discovery request have been filed by other parties. Copies of documents produced pursuant to a request for production, however, need not be served upon the other parties unless a request or joinder has been made, and appropriate arrangements regarding the costs for production have been made.

Civil Administrative Order No. 3.3

RE: NOTICE ATTACHED TO SUBPOENA DUCES TECUM

The “Notice” appended hereto must be attached to all subpoenas duces tecum served on nonparties. The “Notice” is intended to aid nonparties in preparing for and responding to a subpoena duces tecum and to save time for all involved.

NOTICE TO A PERSON OR ENTITY SERVED WITH A
SUBPOENA DUCES TECUM WHO IS NOT A PARTY TO THIS CASE

The Subpoena attached hereto should specifically set forth the materials sought to be subpoenaed.

Any person and/or entity or their attorney objecting to the Subpoena or to disclosure of any materials subpoenaed shall appear on the date and at the time and place for return indicated on the Subpoena and state their objections. Failure to object on the return date may be considered a waiver of any objections.

The person or entity subpoenaed or their counsel may submit a written statement of objections to the court. If a person or entity objects to disclosure of only part of the material, the pages or sections of material considered confidential and/or nondisclosable shall be tabbed or marked for the court.

Matters presented at the return may be continued from time to time without further notice except as announced at the time of return.

Civil Administrative Order No. 4.1**RE: FILING OF DEPOSITIONS FOR TRIAL**

Rule 30(f)(3) of the Hawai‘i Rules of Civil Procedure provides:

. . . For use at trial, a previously unfiled deposition which is intended to be offered in evidence may be filed on or after the 20th day preceding the scheduled commencement of trial.

- (1) When filing depositions, the court reporter *must* indicate on the front of the envelope containing the deposition the following information:

TRIAL DATE: (Actual starting date, if known,
or “week of”)

TRIAL JUDGE: (If known)

- (2) The court reporter should prepare the front of the manila envelope containing the deposition in accordance with the format illustrated on Exhibit “A” attached hereto.
- (3) The court reporter should present along with the sealed deposition envelope, a xerox copy of the front of the envelope. The Court Documents Clerk will file the deposition as well as file-mark the xerox copy and return the copy to the court reporter as verification that the deposition has been filed with the court.

This administrative order does not affect out-of-state depositions. Rule 30(f)(1), HRCP, applies to out-of-state depositions.

Court Reporting Service

Address

Telephone Number

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

) CIVIL NO.
)
) DEPOSITION OF ("NAME OF
) DEPONENT")
)
)
) Records Of: (Name of
) hospital, doctor, company,
) etc., if applicable)
)
) TRIAL DATE: (actual starting
) date, if known, or
) "week of")
) TRIAL JUDGE: (If known)
)
_____)

DEPOSITION OF ("NAME OF DEPONENT")[UPON WRITTEN INTERROGATORIES, if applicable]

Taken on behalf of (party's name) on (date deposition was taken).

Exhibit A

Civil Administrative Order No. 4.2

RE: COMMISSIONS TO TAKE DEPOSITIONS

All motions for orders granting the taking of depositions in foreign jurisdictions pursuant to Rule 28, HRCp (Persons Before Whom Depositions May be Taken) shall be accompanied with commissions to be signed by the *Court*.

Civil Administrative Order No. 5.1**RE: OBJECTIONS TO NOTICE OF PROPOSED DISMISSAL;
MOTIONS TO SET ASIDE ORDERS OF DISMISSAL**

The Court may hear and determine objections to a proposed dismissal of an action pursuant to Rules 12(q), 28 and 29 of the Circuit Court Rules without oral argument based on the objecting party's written affidavit/declaration of specific reasons why the action should not be dismissed. Orders of Dismissal, based on lack of prosecution and failure to file final documents, are issued in an effort to reduce the backlog of civil cases.

The proper manner in to object to a Notice of Proposed Dismissal is to submit the following documents directly to the documents receiving clerks for filing:

- (1) "Objections to Notice of Proposed Dismissal"

Please indicate the file-marked date of the Notice of Proposed Dismissal.

- 2) "Affidavit/Declaration of (Counsel's or Pro Se Party's Name)"

Please indicate the date your office received the Order of Proposed Dismissal as well as the reasons why the case should not be dismissed.

The court will review the Objections and inform counsel by order as to the disposition of the objections.

Upon motion, the court may, for cause shown, set aside an Order of Dismissal, allowing a case to be reinstated.

Civil Administrative Order No. 5.3**RE: DISMISSALS IN CIVIL ACTIONS (RULE 41, HRCP)**

To promote efficient court operations, counsel and pro se parties shall comply with the following for dismissals in civil actions:

- (1) All dismissals shall cite the rule *and subsections* of the Hawai'i Rules of Civil Procedure (HRCP) under which the action or claim is to be dismissed. For example, cite "Rule 41(a)(1)(B), HRCP" or "Rule 41(a)(1)(A), HRCP."
- (2) Dismissals under Rules 41(a)(1)(A) or 41(a)(1)(B) do not require the approval of the Court and shall not be submitted to the court with an "Approved and So Ordered" provision. Although the Court's signature is not required, *all* pretrial dismissals shall first be submitted for processing to the office of the Administrative Judge in the First Circuit, or the assigned judge in the Second, Third or Fifth Circuit. They will thereafter be sent directly to the clerk's office to be filed. If for some reason an order of dismissal is required, an *ex parte* motion for an Order of Dismissal may be made pursuant to Rule 41(a)(2), HRCP.
- (3) A dismissal under Rule 41(a)(1)(A) requires and *shall state* that the adverse party against whom the dismissal is sought has not served an answer or motion for summary judgment.
- (4) Except under Rule 41(a)(1)(A) and 41(c), a stipulation for dismissal under Rule 41 of fewer than all claims or fewer than all parties shall be signed by all appearing parties.
- (5) A dismissal under Rule 41(a)(1)(B) *shall state* that all appearing parties have signed the stipulation and/or explain why all appearing parties have not signed (such as because the parties were already dismissed out by summary judgment or otherwise).
- (6) All dismissals and stipulated judgments shall state whether or not a trial date has been set, and, if so, shall indicate that date.
- (7) All dismissals shall contain a full and current descriptive caption (avoiding the use of such terms as "*et al.*" and "etc.").
- (8) Partial dismissals shall indicate in their descriptive caption that it is a partial dismissal and what part of the case is being dismissed. All partial dismissals must be titled to identify the dismissed claims or parties.
- (9) Signatures of counsel shall identify who they represent by individual or group.

Civil Administrative Order No. 5.4

RE: NOTIFICATION TO COURT OF OUT-OF-COURT SETTLEMENT

Counsel shall notify the Court *immediately* when a case is settled out-of-court. Notification should be made as follows:

- (1) **Notification to a Specific Judge**
If your case was assigned for settlement conference or for trial, notify the appropriate *judge*.
- (2) **Notification to Civil Assignment Clerk**
If your case was not assigned to a specific *trial* judge nor was called for settlement conference within thirty (30) days prior to settlement, notify the *Civil Assignment Clerk*.

DEADLINE FOR FILING OF FINAL DOCUMENTS: Upon notification to the Court that a case has been settled, counsel *must* file the Stipulation for Dismissal With Prejudice (or other appropriate final document) within thirty (30) days or within the time designated by the Court.

Civil Administrative Order No. 6.1

RE: DEFICIENCY JUDGMENT PURSUANT TO FORECLOSURE

A deficiency judgment that is not requested as a part of the motion for confirmation of sale shall be requested by separate motion.

When a deficiency judgment is submitted to the Court for signature, an *affidavit/declaration* shall be attached clearly detailing the computation utilized in arriving at the judgment sum.

Civil Administrative Order No. 6.2

RE: DELAY IN CLOSING FORECLOSURE SALES

To avoid delays in closing the sales in foreclosure actions, attorneys and successful bidders shall have the conveyance recorded within 35 days from the date the order confirming sale is entered. The motion to confirm sale and the order confirming sale shall be filed within 20 days of the sale unless there are exceptional circumstances.

If the successful bidder is a creditor, the court may not allow per diem interest on the debt to that creditor for more than 35 days after the order confirming sale is entered. After 35 days, the Court may allow interest on the unsatisfied portion of the debt only.

If the successful bidder is not a creditor and the bidder fails to close within the 35 day period, then one of the creditor's attorneys should file a motion for cancellation of the sale and for possible forfeiture of all or a portion of the deposit, unless the delay was justified.

Civil Administrative Order No. 7.1

RE: PROBATE FLAG SHEETS

In the Circuit Courts of the First, Second, Third, and Fifth Circuits, flag sheets required by Rules 81 and 103 of the Hawai‘i Probate Rules shall contain the information sought in Flag Sheet Nos. 1-A through 1-F appended hereto, as follows:

Flag Sheet 1-A	Petition to Admit a Will to Probate and Appointment of Personal Representative
Flag Sheet 1-B	Petition for Adjudication of Intestacy
Flag Sheet 1-C	Petition to Appoint a Guardian of the Property, and/or for Authority to Compromise a Tort Claim
Flag Sheet 1-D	Petition for Confirmation of Sale of Real Property
Flag Sheet 1-E	Petition for Approval of Final Accounts of a Personal Representative
Flag Sheet 1-F	Petition for Determination of Elective Share

Hearing Date: _____

FLAG SHEET NO. 1-A

(Petition for Probate of Will and Appointment of Personal Representative)

(Attorney or Pro Se Party)
Tel. No. _____

Probate No. _____
Estate of _____

I. Death Certificate

The death certificate actually shows the following information:

1. Name of decedent in full: _____
2. Date of death: _____
3. Marital status: _____

II. Publication Notice

1. Name of decedent as actually published _____

2. Dates of actual publication (in 3 consecutive weeks):
_____ ; _____ ; _____ .

III. Affidavit of Attesting Witness for Wills and Codicils

HRS §560:2-502(b) provides that a will may be valid as a holographic will “whether or not witnessed, if the signature and material portions of the document are in the testator’s handwriting.”

Is this will presented as a holographic will? Yes ___ No ___
If “No,” continue. If “Yes,” you may skip to section IV.

(*Note to attorney:* No affidavit is required for a self-proved will or codicil. If the will or codicil is not self-proved, one (1) properly executed affidavit of attesting witness is required for each will and codicil. The affidavit should include the mandatory language that the “decedent appeared to be of *sound mind and under no constraint or undue influence at the time of the execution* of the said document.” In the absence of the affidavit of attesting witness, oral testimony is required.)

1. Is the will or codicil self-proved? Yes __ No __
2. If "No," state the name of the attesting witness: _____ .
3. Proof of will or codicil is by
Affidavit: Yes __ No __
Oral testimony: Yes __ No __

IV. Proof of Service

1. List or attach a list of all interested persons who are entitled to notice of hearing, and their relationship to the decedent.

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____

2. Was notice served on all interested persons?
(HRS §560:1-401) Yes __ No __
3. If "No," were waivers of notice obtained and filed for all interested persons other than those served under 2 above? Yes __ No __
4. If "No," list the names of all interested persons who have not been served and have not waived notice.

_____	_____
_____	_____

V. Appointment of Personal Representative (PR) and Bond

1. Does the petition name the person with the highest priority? Yes __ No __
2. If "No," list or attach a list of the name of those persons who have higher or equal priority with the proposed PR, and whether their renunciation and consent to the appointment of the proposed PR have been obtained and filed.

<u>Name</u>	<u>Consent to Appointment Filed?</u>	
	<u>Yes</u>	<u>No</u>
_____	_____	_____
_____	_____	_____

3. Does the petition request the appointment of the proposed PR without bond? Yes __ No __
- If "Yes," is bond waived by will? Yes __ No __

If bond is not waived by will, state the reason for this request and include the relationship of the proposed PR to the decedent or beneficiaries.

4. If the appointment of the PR is with bond, state the amount of the bond requested. \$ _____.

VI. Prayer for Special Matters

(*Note to attorney:* Anything beyond the normal and ordinary probate matters shall be specified in this classification as special or unusual matters.)

1. Special matters requested? Yes __ No __
2. If "Yes," enumerate such special matters.

VII. Objection or Opposition

1. Are you aware of any opposition or objection to this petition? Yes __ No __
2. If "Yes," state by whom (include the relationship of the objector to the decedent or beneficiaries) and the grounds for the objection, if known.

THE UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT TO THE
BEST OF SAID ATTORNEY'S KNOWLEDGE AND BELIEF ALL OF THE
FOREGOING FACTS AND FIGURES ARE TRUE AND CORRECT.

Attorney for Petitioner* or pro se Petitioner
*only attorneys may sign.

Hearing Date: _____

FLAG SHEET NO. 1-B
(Petition for Adjudication of Intestacy)

(Attorney or Pro Se Party)

Probate No. _____

Tel. No. _____

Estate of _____

I. Death Certificate

The death certificate actually shows the following information:

1. Name of decedent in full: _____
2. Date of death: _____
3. Marital status: _____

II. Publication Notice

1. Name of decedent as actually published _____

2. Dates of actual publication (in 3 consecutive weeks):
_____ ; _____ ; _____ .

III. Proof of Service

1. List or attach a list of all interested persons who are entitled to notice of hearing, and their relationship to the decedent.

NameRelationship

2. Was notice served on all interested persons?
(HRS §560:1-401) Yes __ No __
3. If "No," were waivers of notice obtained and filed for all
interested persons other than those served under 2 above? Yes __ No __
4. If "No," list the names of all interested persons who have not been served and have
not waived notice.
- _____
- _____

IV. Consent, Renunciation & Waiver (CRW)

1. Does the petition name the person with the highest priority
to be appointed? Yes __ No __
2. If "No," list or attach a list of the names of those persons who have higher or
equal priority with the proposed PR, and whether their consent, renunciation and
waiver (CRW) have been obtained and filed.

<u>Name</u>	<u>CRW Filed?</u>	
	<u>Yes</u>	<u>No</u>
_____	_____	_____
_____	_____	_____

V. Bond (Personal Representative)

1. Does the petition request the appointment of the
proposed PR without bond? Yes __ No __

State the reason for this request and include the relationship of the proposed PR to
the decedent or heirs.

VI. Prayer for Special Matters

(*Note to attorney:* Anything beyond the normal and ordinary probate matters shall be specified in this classification as special or unusual matters.)

1. Special matters requested? Yes __ No __
2. If "Yes," enumerate such special matters.

VII. Existence of a Will That is Not Being Probated

1. Are you aware of any will that for any reason is not being offered for probate? Yes __ No __
2. If "Yes," state briefly the reason why the Will is not being offered for probate, and list any persons entitled to notice under said Will who are not entitled to notice under this Petition for Adjudication of Intestacy.

VIII. Objection or Opposition

1. Are you aware of any opposition or objection to this petition? Yes __ No __
2. If "Yes," state by whom (include the relationship of the objector to the decedent or beneficiaries) and the grounds for the objection, if known.

THE UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT TO THE BEST OF SAID ATTORNEY'S KNOWLEDGE AND BELIEF ALL OF THE FOREGOING FACTS AND FIGURES ARE TRUE AND CORRECT.

Attorney for Petitioner* or pro se Petitioner
*only attorneys may sign.

Hearing Date: _____

FLAG SHEET NO. 1-C

(Petition for Appointment of Guardian of the Property and Authority to Compromise Claim)

(Attorney or Pro Se Party)

G. No. _____

Tel. No. _____

Name of Ward _____

I. Protected Person

The person sought to be protected is a(n):

1. Minor: Yes ____

Date of Birth _____

2. Adult (incapacitated) : Yes ____

Date of Birth _____

II. Appointment of Guardian

1. State the relationship of the proposed Guardian to the protected person.
2. Is there any person who has higher priority to be appointed Guardian? Yes __ No __
3. If "Yes," list the name(s) of the person(s) who have higher priority, and whether waiver(s) of their right to be appointed Guardian have been filed.

<u>Name</u>	<u>Waiver Filed?</u>	
	<u>Yes</u>	<u>No</u>
_____	_____	_____
_____	_____	_____

4. If the person sought to be protected is a minor, 14 years or older, has the minor filed a nomination? Yes __ No __
5. If "Yes," state the name of the person nominated and the relationship of that person to the protected person.

III. Property (Assets of the Protected Person)

1. Estimated dollar value of property
 - a. Real Property \$ _____
 - b. Personal Property \$ _____

Total Value \$ _____
2. If the protected person has a claim for damages, describe the nature of the claim, the amount of the settlement offer, and whether the offer is fair and reasonable in light of all the circumstances of the claim.

IV. Deposit

1. Deposit of the property shall be in accordance with Rule 107(c) of the Hawaii Probate Rules. Yes __ No __
2. If "No," state the method of deposit.

V. Withdrawals

1. State the amount requested, if any, for the support and maintenance of the protected person: \$ _____ per month
2. In the case of a minor, if there is a requested allowance, what is the gross family income per month of the person(s) responsible for the support of the minor? \$ _____ per month
3. State the amount requested, if any, for extraordinary withdrawals, and the reason therefor: \$ _____

VI. Accounting Period Requested

Check one of the following:

(1) Annual ____ ; (2) Biennial ____ ; (3) Triennial ____ ; (4) Other ____ .

State the accounting period: _____

VII. Proof of Service

1. List or attach a list of all interested persons who are entitled to notice of hearing, and their relationship to the protected person.

<u>Name</u>	<u>Relationship</u>
_____	_____
_____	_____

2. Was notice served on all interested persons?
(HRS §560:5-309; 1-401) Yes __ No __

3. If “No,” were waivers of notice obtained and filed for all interested persons other than those served under 2 above? Yes __ No __

4. If “No,” list the names of all interested persons who have not been served and have not waived notice.

_____	_____
_____	_____

VIII. Recommendation of Guardian Ad Litem

(Applicable ____ ; Not applicable ____ .)

The Guardian Ad Litem’s specific recommendations are:

- | | | |
|-----|---------------------------------|--------------|
| (a) | Need for a guardianship exists? | Yes __ No __ |
| (b) | Appointment of Petitioner? | Yes __ No __ |
| (c) | Accounting period (specify) | _____ |

(d) Other: _____

IX. Estimated Fees

1. Guardian ad Litem \$ _____
2. Attorney \$ _____

X. Bond

1. Is the appointment of the Guardian with bond? Yes __ No __
2. If "Yes," state the amount of the bond requested. \$ _____

XI. Objection or Opposition

1. Are you aware of any opposition or objection to this petition? Yes __ No __
2. If "Yes," state by whom (include the relationship of the objector to the protected person or proposed Guardian) and the grounds for the objection, if known.

THE UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT TO THE
BEST OF SAID ATTORNEY'S KNOWLEDGE AND BELIEF ALL OF THE
FOREGOING FACTS AND FIGURES ARE TRUE AND CORRECT.

Attorney for Petitioner* or pro se Petitioner
*only attorneys may sign.

Hearing Date: _____

FLAG SHEET NO. 1-D
(Petition for Confirmation of Sale)

(Attorney or Pro Se Party)
Tel. No. _____

Probate No. _____

Estate of _____

I. Property

State the following information:

1. Address of the property: _____
2. Tax Map Key Number: _____

II. Appraisal

1. Has an appraisal been filed? Yes __ No __
2. If "Yes," state the appraised value. \$ _____
3. If "No," state the reasons why no appraisal has been filed.

III. Offer

1. State the amount of the offer. \$ _____
2. State the names(s) of the buyer(s), and their relationship, if any, to the estate, personal representative, or attorney.

IV. Affidavit of Posting at Courthouse (Notice of Sale)

Date the Notice was posted (at least 15 days prior to hearing): _____

V. Proof of Service

1. List or attach a list of all interested persons who are entitled to notice of hearing.

Name

Basis Upon Which Person
is Entitled to Notice

2. Was notice served on all interested persons
by first class mail, postage prepaid? Yes __ No __

3. If "No," were waivers of notice obtained and filed for all
interested persons? Yes __ No __

4. If "No," list the names of all interested persons who have not been served.

VI. Minimum Bid Price (HRS §531-29) \$ _____

VII. Fees

1. Broker

a. Seller's Broker	% _____	\$ _____
b. Buyer's Broker	% _____	\$ _____
c. Total Amount of Commission	% _____	\$ _____

2. Personal Representative \$ _____

3. Attorney \$ _____

VIII. Financing

1. Cash Sale Yes __ No __
2. If "No," describe the terms of the sale.

IX. Objection or Opposition

1. Are you aware of any opposition or objection to this petition? Yes __ No __
2. If "Yes," state by whom (include the relationship of the objector to the decedent or beneficiaries) and the grounds for the objection, if known.

THE UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT TO THE
BEST OF SAID ATTORNEY'S KNOWLEDGE AND BELIEF ALL OF THE
FOREGOING FACTS AND FIGURES ARE TRUE AND CORRECT.

Attorney for Petitioner* or pro se Petitioner
*only attorneys may sign.

FLAG SHEET NO. 1-E
(Petition for Approval of Final Accounts)

(Attorney or Pro Se Party) Probate No. _____

Tel. No. _____ Estate of _____

I. Publication Notice

1. Name of decedent as actually published _____

2. Dates of actual publication (in 3 consecutive weeks):
_____ ; _____ ; _____ .

II. Tax (Estate or Transfer Tax)

1. Has a receipt, certificate, or release from the
Taxation Department been filed? Yes __ No __
2. If "No," will it be filed by the date of the hearing? Yes __ No __

III. Inventory

1. State the date of decedent's death: _____
2. State the value of the estate at death: \$ _____

IV. Approvals by Beneficiaries

1. List the names of all residuary beneficiaries under the will, or by intestacy, and state whether their approvals have been filed.

<u>Name</u>	<u>Approval Filed?</u>	
	<u>Yes</u>	<u>No</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. Have all receipts for specific bequests been filed? Yes __ No __
3. If "No," list such specific devisees under item No. 1 above.

V. Proof of Service

1. List or attach a list of all interested persons who are entitled to notice of hearing.

<u>Name</u>	<u>Basis Upon Which Person Is Entitled to Notice</u>
_____	_____
_____	_____

2. Was notice served on all interested persons?
(HRS §560:1-401) Yes __ No __
3. If "No," were waivers of notice obtained and filed for all
interested persons other than those served under 2 above? Yes __ No __
4. If "No," list the names of all interested persons who have not been served.

VI. Fees

Has the court been requested to review the reasonableness of the compensation of any person employed by the personal representative or the reasonableness of the compensation determined by the personal representative as reasonable for the personal representative's own services pursuant to HRS §560:3-721? Yes __ No __

An affidavit detailing the hourly rate and time spent for the services provided must be filed.

VII. Prayer for Special Matters

(*Note to attorney:* Anything beyond the normal and ordinary probate matters shall be specified in this classification as special or unusual matters.)

1. Special matters requested? Yes __ No __
2. If "Yes," enumerate such special matters.

VIII. Objection or Opposition

1. Are you aware of any opposition or objection to this petition? Yes __ No __
2. If "Yes," state by whom (include the relationship of the objector to the decedent or beneficiaries) and the grounds for the objection, if known.

THE UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT TO THE BEST OF SAID ATTORNEY'S KNOWLEDGE AND BELIEF ALL OF THE FOREGOING FACTS AND FIGURES ARE TRUE AND CORRECT.

Attorney for Petitioner* or pro se Petitioner
*only attorneys may sign.

Hearing Date _____

FLAG SHEET NO. 1-F
(Petition for Determination of Elective Share)

(Attorney or Pro Se Party)

Probate No. _____

Tel. No. _____

Estate of _____

For estates of decedents dying on or before January 1, 1997, skip to Item VI, Objection or Opposition.

I. Timeliness of Election (HRS §560:2-211(a), (b))

1. Date of Death: _____
2. Date of Probate of Will: _____
3. Date of Extension Granted by the Court, if any: _____

II. Persons Entitled to Notice

1. List the names of all interested persons (HRS §560:1-401) and state whether they have been notified of this proceeding.

<u>Name</u>	Notified?	
	<u>Yes</u>	<u>No</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. List all persons interested in the decedent's nonprobate transfers to others (HRS §560:2-211(b)) and state whether they have been notified of this proceeding.

<u>Name</u>	Notified?	
	<u>Yes</u>	<u>No</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

III. Elective Share Percentage

1. a. For how many years were the surviving spouse and
 the decedent married to each other? _____ years
 or
 b. For how many years were the surviving reciprocal beneficiary
 and the decedent in a reciprocal beneficiary relationship? _____ years
2. State the elective share percentage that corresponds
 to the years stated in item 1. (HRS §560:2-202(a)). _____ percent

IV. Augmented Estate

Summarize, by stating the value of the following:

1. Decedent's net probate estate (HRS §560:2-204) \$ _____
2. Decedent's nonprobate transfers to others (HRS §560:2-205) \$ _____
3. Decedent's nonprobate transfers to the surviving spouse (HRS §560:2-206) \$ _____
4. The surviving spouse's property and nonprobate transfers to others (HRS §560:2-207) \$ _____
5. The amount of any exclusions pursuant to HRS §560:2-208(a) \$ _____
6. Any property excluded to avoid overlapping application pursuant to HRS §560:2-208 \$ _____

State the value of the augmented estate \$ _____

V. Determination of Elective Share Amount

State the value of the elective share amount (the elective share percentage of the augmented estate, HRS §560:2-202). \$ _____

VI. Objection or Opposition

1. Are you aware of any opposition or objection to this petition? Yes __ No __
2. If "Yes," state by whom (include the relationship of the objector to the decedent or beneficiaries) and the grounds for the objection, if known.

THE UNDERSIGNED ATTORNEY HEREBY CERTIFIES THAT TO THE BEST OF SAID ATTORNEY'S KNOWLEDGE AND BELIEF ALL OF THE FOREGOING FACTS AND FIGURES ARE TRUE AND CORRECT.

Attorney for Petitioner* or pro se Petitioner
*only attorneys may sign.

Civil Administrative Order No. 7.2**RE: DELEGATION OF POWERS TO CLERK AND DEPUTY CLERK RULE 48
HAWAI'I PROBATE RULES**

Pursuant to Rule 48 of the Hawai'i Probate Rules, the following duties and powers shall be delegated to the clerks of court and exercised under the supervision of the Court:

- (1) To set a date for hearing on any matter and to vacate any such setting;
- (2) To issue subpoenas;
- (3) To certify copies of documents filed in the court;
- (4) To correct any clerical error in documents filed in the Court;
- (5) To transfer a will to another jurisdiction pursuant to Rule 74;
- (6) To enter closing orders in supervised and formal proceedings, if there is no objection to entry of such order by any interested person.

Civil Administrative Order No. 7.3**RE: ORDERS CLOSING ESTATE FILE THREE YEARS AFTER
ISSUANCE OF LETTERS**

If more than three years have elapsed from the date letters testamentary or letters of administration were last issued and an estate has not been closed either by obtaining court approval of final accounts or by filing a closing statement, the court may order the estate's file closed for statistical and administrative purposes. Any such order closing an estate file shall not discharge the personal representative from any liability to the court, the estate, or any other person.

Civil Administrative Order No. 8.1**RE: WITHDRAWAL, SUBSTITUTION AND APPEARANCE OF COUNSEL**

Counsel shall file proper documentation reflecting their withdrawal from a case. Without the proper documentation reflecting an attorney's withdrawal from the case, said attorney shall be responsible for all court appearances and compliance with applicable deadlines.

"Withdrawals and Appearance of Counsel and Order" should cite the appropriate authority, i.e. Rules 10 and 10.1 of the Rules of the Circuit Courts.

Civil Administrative Order No. 9.2**RE: ORDER MODIFYING THE CIVIL MOTIONS PROCEDURES MANUAL**

Pursuant to Rule 78 of the Hawai'i Rules of Civil Procedure, IT IS HEREBY ORDERED AS FOLLOWS:

In the Circuit Court of the First Circuit,

1. Motions designated as Non-Hearing Motions on the List of Motions attached hereto as Exhibit "A" shall be submitted and determined on memoranda and any supporting affidavits/declarations or exhibits unless otherwise ordered by the court.
2. Motions designated as Hearing Motions on the List of Motions attached hereto as Exhibit "A" shall be given oral hearings.
3. Motions designated as Discovery Motions on the List of Motions attached hereto as Exhibit "A" shall, at the option of the moving party, be given an oral hearing or submitted and determined on memoranda and supporting affidavits or exhibits unless otherwise ordered by the court.
4. All motions where a Prisoner is movant or a Prisoner is entitled to notice are Non-Hearing Motions.
5. All other motions (aside from motions entitled to be heard *ex parte*) shall be given oral hearing.
6. Upon written application by either party, the Court may schedule an oral hearing on a specific motion.
7. Any response to a Non-Hearing Motion shall be filed with the Court no later than ten (10) days after the date of the Certificate of Service accompanying the Motion. If service of the Motion is made by mail pursuant to Rule 6(e) of the Hawaii Rules of Civil Procedure, any response to said Motion shall be filed with the Court no later than twelve (12) days after the date of the said Certificate of Service.

This Order supplements and supersedes Appendixes on pages C-1 through C-10 of the April 20, 1993 Civil Motions Procedures Manual of the First Circuit Court.

In the Circuit Courts of the Second, Third and Fifth Circuits, all motions shall be given oral hearing unless otherwise ordered by the presiding Judge. If so ordered, the above order applicable to the Circuit Court of the First Circuit shall apply.

Exhibit A to Civil Administrative Order No. 9.2

Hearing Motions

Add, Exclude, Strike Witness
Alternative Dispute Resolution
Appear Pro Hac Vice
Application for Mechanic's and Materialman's Lien
Appoint Arbitrator (except that a Motion to Appoint an Arbitrator pursuant to HRS §431-10C is a non-hearing motion)
Appoint Receiver
Appoint Special Master
Approval to Dismiss or Compromise Class Action (HRCP Rule 23(e))
Attorney's Fees (pursuant to HRCP Rule 11 only)
Bifurcation (as to Parties)
Cancellation of Agreement of Sale (Foreclosure)
Charging Order Against Partnership Interest
Clarification of Minute Order (where no Written Order was Filed)
Clarification of Status of Case pursuant to HRS § 603-21.9(1) & (6)
Class Certification
Compel Arbitration
Compel Compliance with HRS § 171-4
Compel, Confirm, Enforce, Modify Arbitration Award
Compel Posting of a Bond
Condemn and Destroy Seized Evidence (Liquor Commission)
Confirmation of Sale (Foreclosure)
Default and Default Judgment on Proof combined in one motion
Default Judgment on Proof (Rule 55)
Decree of Foreclosure, Summary Judgment and Default Judgment (Foreclosure)
Deficiency Judgment (Foreclosure)
Designation as Complex Litigation
Determining Unsuitability for Review by Design Professional Conciliation Panel
Direct Payment from Contractor's Recovery Fund
Discovery Conference (Rule 26(f) HRCP)
Dismiss (except pursuant to Rule 37 (Discovery))
Disqualify Counsel
Dissolve or Modify Temporary Restraining Order
Distribution of Proceeds (Foreclosure)
Enforce Government Appeal Decision
Enforce Liability of a Surety (HRCP Rule 65.1)

Establish a Court-Administered Rent Trust Fund
Enforce Labor and Industrial Relations Board Decision (or any other Board Decision)
Enforce Entry of Final Judgment
Enforce Settlement Agreement
Examination of Judgment Debtor
Examination of Person Having Knowledge
Extend Discovery Cutoff, any Discovery Cut-Off Motion
Extend, Review, Revive Judgment pursuant to HRS §657-5
Extension of Time to Answer a Complaint or Any Claims
Further Discovery Beyond Cut-off
Garnishee Order
Government Agency Appeals Motions
Immediate Consideration
Immediate Possession
Inspection of Public Record
Instructions (Foreclosure)
Interlocutory Appeal of Order/Judgment
Issuance of Habeas Corpus
Judgment on the Pleadings
Jury Trial in Probate Proceedings
Leave to Deposit in Court a Sum of Money or Other Thing (HRCP Rule 67)
Leave to File Crossclaim, Third Party Complaint, Etc.
Order Concerning Sequence of Discovery (HRCP Rule 26(d))
Order of Contempt
Order to Show Cause
Order in Conduct of Class Action (HRCP Rule 23(d))
Order that Service Need Not be Made as Between Numerous Defendants
Post Statutory Cash Bond (pursuant to HRS 607-25(e)(2))
Post-Judgment Interest
Pre-Judgment Garnishee Summons
Preliminary Injunction (if not TRO Related)
Probable Cause Hearing
Protective Order
Quash Protective Order
Quash Service (Rule 12(b)(5))
Reconsideration/Rehearing/Relief from any Final Order of Dismissal (R. 28, 29, 12(q))
Relief from Findings of Fact, Conclusions of Law, and Order Granting Summary Judgment and
Interlocutory Decree of Foreclosure
Relief from Judgment
Review or Set Aside Taxation of Costs
Rule 54(b) Certification

Sale Without Open House (Foreclosure)
Sanctions (pursuant to Rule 11)
Sanctions for Noncompliance with Judge's Order
Set Aside Sale (Foreclosure)
Set, Reset, Continue Trial/Trial Date
Special Proceedings
Stay Execution of or Proceedings to Enforce Judgment (HRCF Rule 62(b))
Stay Proceedings Pending Appeal/Interlocutory Appeal
Stay Proceedings Pending Arbitration
Stay Proceedings Pending Matters before U.S.D.C.
Strike Answer (to a Complaint or any claim)
Strike Case from Trial Calendar
Strike Pre-Trial Statement or Responsive Pre-Trial Statement
Summary Judgment
Suspend, Modify, Restore or Grant Injunction During Pendency of Appeal (HRCF Rule 62(c))
Temporary Restraining Order
Vacate Arbitration Award
Vacate Exemplified Foreign Judgment
Vacate Workers' Compensation Statutory First Lien
Withdrawal of Counsel
Writ of Possession

Non-Hearing Motions

Any Motion where a Prisoner is being Noticed
Any Motion where a Prisoner is Movant
Add to Record on Appeal (Agency Appeal)
Allow Additional Time to Name or Identify Doe Defendants
Alter or Amend Order or Judgment
Amend Pre-Trial Statement or Responsive Pre-Trial Statement
Amend Answers
Amend Complaint, Crossclaim, Counterclaim or Any Other Claim
Apply First Lien
Appoint Arbitrator pursuant to HRS §431-10C (determined on a shortened-time basis)
Attorney's Charging Lien
Attorney's Fees (except pursuant to HRCF Rule 11)
Bifurcation (as to Issues or as to Third Party Claims)
Certify or Identify Doe Defendants
Change of Venue

Clarification of Judgment or Order
Clerk to Sign Quitclaim Deed
Consolidate
Continue Action by or Against Representative of Incompetent Party (HRCF Rule 25(b))
Expunge Lis Pendens
Extend Witness Cut-off Date
Extension of Time for Third Party to File Pre-Trial Statement or Responsive Pre-Trial Statement
Extend Time to File Certification of Doe Defendants
Extend Time to File Motion for Summary Judgment (less than 50 Days Before Trial Date)(HRCF Rule 56(c))
Extension of Time to File Objections to Dismissal
Extension of Time to File Pre-Trial Statement or Responsive Pre-Trial Statement
Extension of Time to Name Witness or Name Final Witness
Extension of Time to Respond to Non-Hearing Motions Filed
File Counterclaim, Crossclaim or Any Other Claim
File Third-Party Complaint
Intervene
Joinder or Non-Joinder of Parties
Jury Trial
Leave to Dispose of Property Free and Clear
Leave to Present Counterclaim Maturing or Acquired After Pleading
Leave to Set Up Omitted Counterclaim by Amendment
More Definite Statement
Open Sealed Deposition
Payment of Undisputed Portion of Estimated Compensation
Reconsideration of Order or Judgment
Rehear a Hearing Motion (where no written order was filed)
Rehear Non-Hearing Motion (where no written order was filed)
Reimbursement of Out-of-Pocket Expenses
Release Mortgage
Set Aside Default or Vacate Default Entered by Clerk or by the Court
Set Aside Entry of Default Judgment
Set Aside or Vacate Order or Judgment
Sever Claims
Strike Claim
Substitution of Parties
Withdraw Monies

Discovery Motions

Discovery Motions brought pursuant to HRCP Rules 26-37, except that the following motions are Hearing Motions:

- (1) Motion for Discovery Conference;
- (2) Motion for an Order Concerning Sequence of Discovery; and
- (3) Motion for (or to Quash) a Protective Order.

In addition, any motions pertaining to discovery that affect timing of the trial date (e.g. Motion to Extend Discovery Cutoff Date) are Hearing Motions.

Authorize Deposition to Perpetuate Testimony (HRCP Rule 27(a)(1))

Compel Answers to Interrogatories

Compel Attendance

Compel Compliance with Subpoena

Compel Designation of Person to Testify on Behalf of a Corporation or Entity

Compel Discovery under Rule 26(b)(1)

Compel Discovery and for Sanctions

Compel Inspection of Documentary Evidence

Compel Inspection

Compel Production of Documents

Compel Production of Documents and for Attorney's Fees

Conduct Deposition by Videotape

Determination of Sufficiency of Answers

Different Time to Serve Notice of Deposition

Enlarge or Shorten Time for Taking Deposition

Enlarge or Shorten Time to Serve Questions

Enlarge Time to Respond to Motion to Compel Production of Documents

Expert Fees

Extension of Time to Answer Interrogatories

File Discovery Materials not Automatically Filed

File more than 60 Written Interrogatories

Independent Medical Examination

Modify or Quash a Subpoena

Order Concerning Taking of a Deposition in an Ex Parte Proceeding

Order Deposition to be Taken by Telephone

Require Delivery of a Report of Examination

Require Payment of Expenses to Prove the Genuineness of a Document or Truth of a Matter

Sanctions pursuant to Rule 37 (including Default, Dismissal, Stay of Further Proceedings, Strike Pleadings)

Sanctions for Certification Made in Violation of Rule 26(f)

Shorten or Extend Time to Answer or Object to Request for Admission

Stay Further Proceedings (as sanction pursuant to Rule 37)
Strike Pleadings (as sanction pursuant to Rule 37)
Supplement Answers
Suppress
Take Deposition less than 30 days after Service of Summons and Complaint
Take Deposition of a Person Confined in Prison
Take Deposition to Perpetuate Testimony
Terminate or Limit Oral Examination
Withdraw or Amend an Admission

Civil Administrative Order No. 9.3**SAMPLE FORMAT FOR MOTIONS, NOTICE OF HEARING,
NOTICE OF MOTION, AND CERTIFICATE OF SERVICE**

A “Notice Of Hearing” and “Certificate Of Service” in the form included in the Sample Format for Hearing Motions attached as Exhibit A shall be attached to those motions set for oral hearing.

A “Notice Of Motion and Certificate Of Service” in the form included in the Sample Format for Non Hearing Motions attached as Exhibit B shall be attached to those Motions not requiring a hearing.

Typing or stamping the words “Certificate of Service Attached” on the bottom of the first page of a pleading is *not* appropriate.

Exhibit A: SAMPLE FORMAT FOR HEARING MOTIONS

Name:
 Address:
 Phone No.:
 Attorney for Movant or
 Pro Se

IN THE CIRCUIT COURT OF THE [FIRST] CIRCUIT

STATE OF HAWAII

(Party Name)	)	CIVIL NO. _____
)	
PLAINTIFF,	)	(Party designation & name's)
	)	MOTION FOR (Title);
VS.	)	AFFIDAVIT/DECLARATION
	)	OF COUNSEL/PRO SE AND/OR
(Party Name)	)	MEMORANDUM IN SUPPORT OF
	)	MOTION: NOTICE OF HEARING
DEFENDANT.	)	AND CERTIFICATE OF SERVICE
)	
_____)	

Date: _____

Time: _____

Judge: _____

(Trial Date:

or

No Trial Date Set:)

(Party's designation & name's) MOTION FOR (Title)

Text of motion with citing of authority
 (rule or statute)

DATED: (City), (State), _____.

 (Attorney name/Pro Se)

Attorney for (Party name)

(Attorney heading not needed)

IN THE CIRCUIT COURT OF THE [FIRST] CIRCUIT

STATE OF HAWAII

(Party Name)	)	CIVIL NO. _____
)	
PLAINTIFF,	)	AFFIDAVIT/DECLARATION OF
	)	COUNSEL/AFFIANT/DECLARANT
VS.)	
)	
(Party Name))	
)	
DEFENDANT.)	
_____)	

AFFIDAVIT/DECLARATION OF COUNSEL/AFFIANT/DECLARANT

[State of Hawaii)
) ss:
)]

Text

Attorney Name/Affiant/Declarant
Attorney for (Party name)

[Subscribed and sworn to before me
on this _____day of _____, 19__.

NOTARY PUBLIC, State of Hawaii
My commission expires: _____]

(Attorney heading not needed)

IN THE CIRCUIT COURT OF THE [FIRST] CIRCUIT

STATE OF HAWAII

(Party Name)	)	CIVIL NO. _____
)	
PLAINTIFF,	)	MEMORANDUM IN SUPPORT
	)	OF MOTION
VS.)	
)	
(Party Name))	
)	
DEFENDANT.)	
_____)	

MEMORANDUM IN SUPPORT OF MOTION

Text

DATED: (City), (State), _____.

Attorney Name/Pro Se
Attorney for (Party name)

(Attorney heading not needed)

IN THE CIRCUIT COURT OF THE [FIRST] CIRCUIT

STATE OF HAWAII

(Party Name)	)	CIVIL NO. _____
)	
PLAINTIFF,	)	NOTICE OF HEARING AND
	)	CERTIFICATE OF SERVICE
VS.)	
)	
(Party Name))	
)	
DEFENDANT.)	
_____)	

NOTICE OF HEARING

To: (Attorney/Pro Se)
 Address
 Attorney for (Party)

NOTICE IS HEREBY GIVEN that the Motion for (Title) shall come on for hearing before the Honorable (name), Judge of the above-entitled Court, in his or her courtroom at (address), on (day), (date) at (time), or as soon thereafter as counsel may be heard.

DATED: (City), (State), _____.

 (Attorney name/ Pro Se)
 Attorney for (Party name)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing motion will be served on the following parties at their respective address by (hand delivery or depositing same in the United States mail, postage prepaid).

DATED: (City), (State), _____.

(Attorney name/Pro Se)
Attorney for (Party name)

Exhibit B: SAMPLE FORMAT FOR NON-HEARING MOTIONS

Name:
Address:
Phone No.:
Attorney for Movant or Pro Se

IN THE CIRCUIT COURT OF THE [FIRST] CIRCUIT

STATE OF HAWAII

(Party Name)) CIVIL NO. _____
)
 PLAINTIFF,) (Party designation & name's)
) MOTION FOR
) (Title of Non-Hearing
 VS.) Motion); AFFIDAVIT/DECLARATION
) OF COUNSEL/PRO SE AND/OR
) MEMORANDUM IN SUPPORT OF
 (Party Name)) MOTION; NOTICE OF MOTION AND
) AND CERTIFICATE OF SERVICE
 DEFENDANT.)
)

NON-HEARING MOTION

(Trial Date:
or
No Trial Date Set:)

(Party's designation & name's) MOTION FOR (Title)

Text of motion with citing of authority (rule of statute)

DATED: (City), (State), _____.

(Attorney name/Pro Se)
Attorney for (Party name)

(Attorney heading not needed)

IN THE CIRCUIT COURT OF THE [FIRST] CIRCUIT

STATE OF HAWAII

(Party Name)	)	CIVIL NO. _____
)	
PLAINTIFF,	)	NOTICE OF MOTION AND
	)	CERTIFICATE OF SERVICE
VS.)	
)	
(Party Name))	
)	
DEFENDANT.)	
_____)	

NOTICE OF MOTION

To: (Attorney/Pro Se)
 (Address)
 Attorney for (Party)

NOTICE IS HEREBY GIVEN that the undersigned has filed with the above-entitled Court the motion attached hereto. Any response to said Motion must be filed with the Court no later

than ten (10) days after the date of the Certificate of Service identified below. If service of the Motion has been made by mail pursuant to Rule 6(e) of the Hawaii Rules of Civil Procedure, any response to said Motion must be filed with the Court no later than twelve (12) days after the date of the said Certificate of Service.

DATED: (City), (State), _____.

(Attorney name/Pro Se)
Attorney for (Party name)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Motion will be served by (hand delivery or depositing same in the United States mail, postage prepaid) on the _____ day of _____, 19____.

(Attorney name/Pro Se)
Attorney for (Party name)

Civil Administrative Order No. 9.4

RE CITATION OF AUTHORITY

All motions shall state their statutory or rule authority.

Civil Administrative Order No. 9.5

RE: COURTESY COPIES

Two courtesy copies of all motions, legal memoranda and/or legal documents filed in anticipation of an upcoming hearing must be delivered to the appropriate hearing Court in order to insure timely receipt by the Judge before the appointed hearing date.

Failure to comply with the above may result in your document not being considered by the Court at the time of the hearing, or imposition of other sanctions.

Civil Administrative Order No. 9.6**RE: CONTINUANCES OF HEARING DATES OF MOTIONS**

In the Circuit Court of the First Circuit, stipulations to continue motions hearing dates require review and approval by the Court and will be considered only if:

1. *Just cause* or *good reason* exists to warrant the request and is briefly stated in the stipulation; and
2. The stipulation and order are submitted at least 48 hours *prior* to the scheduled hearing.

Lacking the foregoing, personal appearance shall be necessary at the scheduled date and time of the hearing.

The following procedures will be applied in the Second Circuit Court, Third Circuit Court, and Fifth Circuit Court when continuances are requested of the Court:

Whenever a party wishes to continue a hearing (not including trials and court set conferences) which has already been scheduled, the party seeking the continuance must first contact the opposing parties. If all parties are amenable to the continuance, the party requesting the continuance should then contact the Court prior to the scheduled hearing and obtain proposed new dates from the Court. The agreement of all parties to the new date must be secured, and a written stipulation reflecting the continuance shall be filed with the Court. The court clerk shall reschedule the matter only upon a party's notifying the Court not later than 48 hours prior to the hearing, by receipt of a signed document (which may be signed in counterpart and faxed to the Court) indicating that all parties are in agreement to the continuance or upon the court being satisfied that the parties are in agreement. However, the formal stipulation must subsequently be filed with the Court, and should include a provision for the Court to indicate its approval.

Civil Administrative Order No. 9.7**RE: EX PARTE MOTIONS**

The following procedures will be followed when *ex parte* relief is requested of the Court:

General Rules Regarding Ex Parte Motions

(1) The request shall be made in the form of a motion and the heading of the motion shall identify the party making the request, the *ex parte* nature of the motion and the relief requested (e.g., "Plaintiff John Doe's Ex Parte Motion to Shorten Time for Hearing").

(2) The motion shall state the statutory or rule authority under which the Court is authorized to entertain the motion *ex parte*. The Court will not grant *ex parte* motions unless the basis of its authority to do so is stated and clearly established.

(3) The motion should be accompanied by an affidavit/declaration stating why the motion is being filed *ex parte* and what efforts have been and will be made to notify the opposing party or opposing counsel of the *ex parte* motion.

(4) Where any other party has appeared in the case, the movant must still serve a copy of the *ex parte* motion upon such party pursuant to rule.

Additional Rules Regarding Ex Parte Motions

To implement the provisions of Rule 6(d) of the Hawaii Rules of Civil Procedure, the following procedures will also be followed when filing *ex parte* motions to shorten or lengthen the time for a hearing.

(1) When practicable, the movant must first make an attempt to obtain a stipulation or a response from the opposing party(ies) or opposing counsel as to the request.

(2) The motion must be accompanied by an affidavit/declaration stating:

(a) The reasons for the request;

(b) The attempts made to obtain a stipulation from the opposing party(ies) or opposing counsel and the response to such attempts and, if no attempt was made, the reasons therefor; and

(c) What attempts were and are being made to give notice of the *ex parte* motion.

(3) Where a party or a party's counsel has opposed the request to shorten or lengthen the time for hearing, a copy of the *ex parte* motion must be served in the most expeditious manner available.

Civil Administrative Order No. 10.1

RE: SPOKEN LANGUAGE INTERPRETER SERVICES

All Civil Cases

Whenever counsel and/or the parties determine that an interpreter is required for any civil court proceeding, counsel and/or the parties are responsible for arranging for and paying the fees of the interpreter.

Rates of Pay for Interpreters

In cases where the court for good cause determines that the Judiciary should provide an interpreter for civil proceedings, preference should be given, to the extent possible, to persons on the Judiciary Court Interpreters Master List, and the following rates of pay apply:

- * Daily rate of \$100 (\$50 ½ day) for trial or evidentiary hearing.
- * Daily rate of \$80 (\$40 ½ day) for non-evidentiary hearing.
- * Neither mileage nor parking are paid to interpreters.

Civil Administrative Order No. 10.2

RE: STIPULATIONS TO CONSOLIDATE CASES SUBJECT TO COURT APPROVAL

Parties may stipulate to consolidate civil cases subject to the Court's approval.

The stipulation should cite proper authority and recite the factual or other basis upon which consolidation is sought. The stipulation should include an "Approved and so Ordered" signature line for the Court to sign.

Civil Administrative Order No. 10.3

**RE: STIPULATIONS TO EXTEND TIME TO FILE PRETRIAL AND
RESPONSIVE PRE-TRIAL STATEMENTS SUBJECT TO COURT APPROVAL**

Parties may stipulate to extensions of time to file pre-trial and responsive pre-trial statements subject to the Court's approval.

The stipulations should cite proper authority which will allow the moving party to proceed; date from which the extension is sought; the new date requested; any prior extension; and contain an "Approved and so Ordered" signature line for the Court to sign.

Civil Administrative Order No. 10.4**RE: CIVIL NOTICES OF ENTRY OF JUDGMENTS & ORDERS;
NOTICE OF FILING FOREIGN JUDGMENT**

NOTICE OF ENTRY

All Judgments or Orders for which a Notice of Entry is required by statute or court rules, shall be submitted by the Attorney(s)/party together with a **NOTICE OF ENTRY OF JUDGMENT or ORDER** and with fully-addressed, stamped envelopes for opposing counsel and pro se parties.

The clerk shall serve the notice in the manner provided for in Rule 5 of the Hawai'i Rules of Civil Procedure upon each party affected thereby.

NOTICE OF FILING FOREIGN JUDGMENTS (H.R.S. Chapter 636)

Attorneys are responsible for the preparation of the **NOTICE OF FILING FOREIGN JUDGMENTS** along with a fully-addressed stamped envelope to the judgment debtor. The Notice is to be submitted when filing the Exemplified Foreign Judgment under a Special Proceedings action.

The clerk shall mail the Notice of Filing of Foreign Judgment to the judgment debtor pursuant to H.R.S. §636C-4.

Civil Administrative Order No. 10.5**RE: PROCEDURES FOR ADMINISTRATIVE APPEALS**

To implement and carry out the intent of the provisions of H.R.S. § 91-14 and Rule 72 of the Hawai'i Rules of Civil Procedure, the parties to an administrative appeal shall follow these procedures:

(1) The parties to an administrative appeal shall have ten days after the filing of the record on appeal within which to file a stipulation setting forth a schedule for the filing of opening, answering and reply briefs. Each such stipulation shall include at the end thereof the following sentence: "Oral argument shall be heard on ____." The court shall then fill in a date for oral argument to be scheduled, which date shall be scheduled for a time after the deadline for the filing of any reply brief.

(2) In the absence of a stipulation setting forth a briefing schedule, the opening brief must be filed within forty days after the filing of the record on appeal. The answering brief shall be filed within forty days after service of the appellant's opening brief. Within ten days after service of the appellee's answering brief, the appellant may file a reply brief. Reply briefs shall be confined to matters presented in the answering brief. If no reply brief is to be filed, the appellant shall notify the clerk of the assigned Judge and the appellee in writing of the decision not to file a reply brief, prior to the expiration of the time for filing the reply brief.

(3) On the filing of the answering brief, in the absence of a stipulation, the court shall schedule the matter for oral argument, with argument to take place after the deadline for the reply brief.

(4) Such restrictions on page length as are contained in Rule 28(a) of the Hawaii Rules of Appellate Procedure are hereby adopted to govern page length for opening, answering, and reply briefs in administrative appeals.

(5) Briefs filed pursuant to Rule 72 of the Hawai'i Rules of Civil Procedure shall include, at a minimum: (a) a statement of the questions presented for decision; (b) a brief statement of the facts (which need not duplicate the statement of the case separately required under Rule 72); (c) a concise argument; and (d) a conclusion specifying the relief sought.

CIRCUIT COURT ADMINISTRATIVE ORDERS

Volume I

CIVIL ADMINISTRATIVE ORDERS

Part B

**FIRST CIRCUIT COURT
CIVIL ADMINISTRATIVE ORDERS**

Part B **FIRST CIRCUIT COURT CIVIL ADMINISTRATIVE ORDERS**

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Civil Administrative Order No. 1.3

RE: CAPTIONS IN COMPLEX LITIGATION

All documents in cases assigned to a complex litigation judge shall contain the statement “Complex litigation: assigned to Judge _____” below the caption of the document.

Civil Administrative Order No. 5.2**RE: FILING OF CLOSING DOCUMENTS**

In order to keep the trial calendar and the status of the court's caseload up to date as well as to promote the expeditious processing of dismissals and other closing documents, counsel shall comply with the following:

I. WHERE TO PRESENT DISMISSAL AND OTHER CLOSING DOCUMENTS FOR PROCESSING**A. Cases Not Assigned for Settlement Conference or With no Trial Dates**

All dismissal and/or other closing documents (whether full or partial) for cases which have not been assigned to a settlement judge or with no trial date shall be presented to the **CIVIL ASSIGNMENT CLERK'S OFFICE**. The Civil Assignment Clerk will instruct your messenger to take the document to one of the trial divisions for processing.

B. Cases Assigned to a Settlement Judge

Generally, all dismissal and/or other closing documents (whether full or partial) for cases in which a settlement conference has been *scheduled and/or held*, shall be presented and processed by the **SETTLEMENT CONFERENCE JUDGE'S DIVISION**.

If a case settles subsequent to the settlement conference process, but prior to assignment to a specific trial judge, said document shall also be presented to the **SETTLEMENT CONFERENCE JUDGE'S DIVISION** for processing.

C. Cases Assigned to a Specific Trial Judge

All documents for cases disposed of by the assigned trial judge (whether by trial or settlement) shall be presented to and processed by the **ASSIGNED TRIAL JUDGE'S DIVISION**.

D. Cases in the Court Annexed Arbitration Program

All dismissal documents for cases admitted into the Court Annexed Arbitration Program shall be presented to and processed by the **ARBITRATION JUDGE'S OFFICE**.

In summary, any closing document (whether full or partial) shall be processed by the **JUDGE'S DIVISION** before whom the case was either fully or partially disposed. If the case is settled outside of the court-setting (i.e. without trial or settlement conference assignment), said documents shall be presented to the **CIVIL ASSIGNMENT CLERK'S OFFICE**, with the exception of cases in the Court Annexed Arbitration Program.

II. INFORMATION REQUIRED ON ALL DISMISSALS AND/OR OTHER CLOSING DOCUMENTS

A. GENERAL REQUIREMENTS:

1. **Trial Date:** All dismissals, stipulated judgments and orders granting summary judgment, motions to dismiss, etc. shall state whether a trial date has or has not been set. Such information shall be indicated **to the right of the caption under the civil number and document title**. [Example: "Trial Date: (date) " or "Trial Date: None "]

2. **Judge's Name:**

- a. **DISMISSAL DOCUMENTS:** All dismissal documents and stipulated judgments or other forms of closing documents shall state the name of the assigned settlement conference judge under the trial date designation as described above.

If no settlement conference was assigned, then the document should state, "None."

If the case was disposed of by the trial judge, the dismissal document should so state.

Example: Trial Date: (date) or None
SCF Judge: (name) or None

OR

Trial Date: (date)
Trial Judge: (name)

- b. **ORDERS GRANTING SUMMARY JUDGMENT, MOTIONS TO DISMISS, ETC.:** The name of the judge granting such motions as well as the hearing date and time should be stated under the trial date designation.

Example: Trial Date: (date) or None
 Judge: (name)
 Hearing: (date & time)

B. PARTIAL DISMISSALS

1. **Full Descriptive Title:** Partial dismissal shall indicate a **full, descriptive title** that it is a “partial” dismissal **AND** what part of the case is being dismissed, i.e. all partial dismissals must be titled to identify the issues, claims and/or parties being dismissed.

In addition, the partial dismissal shall *state* in the **text** of the document what claims and/or parties **remain** in the case. If there are no remaining issues and/or parties, the partial dismissal shall so state (i.e. “There are no remaining parties and/or issues.”).

Example:

Title: “Stipulation for Partial Dismissal of Plaintiffs’ Complaint Against Defendant John Doe with Prejudice.”

Text: Defendant John Doe remains in the case as a nominal defendant as to the crossclaim of Defendant Jane Doe.

Note: If Defendant John Doe dismisses his crossclaim against Defendant Jane Doe, then the title as well as the text of the dismissal shall so specifically state. Further, if Defendant John Doe filed a counterclaim against the Plaintiff(s) and said counterclaim is being simultaneously dismissed, again, the title as well as the text of the dismissal shall so state.

C. “STIPULATIONS FOR DISMISSAL WITH or WITHOUT PREJUDICE”

Partial dismissals which are entitled, “Stipulation for Dismissal with [or without] Prejudice” *without* any further indication in the **title** that only certain claims or parties are being dismissed will be deemed to be a full and complete dismissal of all parties, claims and issues in the case. **The case will be closed**

and if a trial date has been assigned, said case will be taken off the trial calendar.

A Stipulation for Dismissal With [or Without] Prejudice which disposes of the entire case shall state in the **title**, “STIPULATION FOR DISMISSAL WITH [OR WITHOUT] PREJUDICE OF ALL CLAIMS AND PARTIES,” and shall state in the **text** of the document that “there are no remaining parties and/or claims.”

Civil Administrative Order No. 9.1**RE: ORDER ADOPTING THE CIVIL MOTIONS PROCEDURES MANUAL**

Pursuant to Rule 78 and Rule 83 of the Hawai'i Rules of Civil Procedure, all parties shall adhere to the Civil Motions Procedures Manual for the Circuit Court of the First Circuit, dated April 20, 1993 unless modified by order of this court, except where inconsistent with statute, court rules or with any order of the Hawai'i Supreme Court.

Civil Administrative Order No. 9.8**RE: CONFORMING AND FILING EX PARTE MOTIONS**

Rule 5(e) of the Hawai'i Rules of Civil Procedure requires clerks to accept documents for filing even if presented in improper form.

In accordance with that rule, all *ex parte* motions will be reviewed by the appropriate court and either granted or denied. *Ex parte* motions will not be returned for corrections prior to filing. After the court acts upon the *ex parte* motion, the motion will be returned to the moving party to conform copies and file in the Legal Documents Branch. Attorneys are responsible for conforming all copies before filing.

All *ex parte* motions granted by the court will be signed by the judge. The *ex parte* motion will be routed directly to the Legal Documents Branch by the respective courts for filing. The filed copies of the document will then be placed directly in the attorney's jackets for distribution to appropriate counsel/parties.

All *ex parte* motions denied by the court will contain a slash mark through the signature line of the original order, initialed by the judge. The word "DENIED" will be stamped on the bottom of the front page of the original *ex parte* motion. If a memorandum stating the reasons for denial is attached to the original *ex parte* motion to be filed, a duplicate will be attached to the copy of the *ex parte* motion. Also attached to the original *ex parte* motion will be an instruction to "CONFORM AND FILE." The moving party will conform all copies, and file the original motion and copies in the Legal Documents Branch. Filing fees, if any, will not be waived.

Unless otherwise specified, denial of an *ex parte* motion is deemed without prejudice. Thus, a party may correct a deficiency by filing a new *ex parte* motion.

Civil Administrative Order No. 9.9**RE: ORDER MODIFYING APPENDIX C OF THE
CIVIL MOTIONS PROCEDURES MANUAL**

Pursuant to Rule 78 of the Hawai'i Rules of Civil Procedure, IT IS HEREBY ORDERED AS FOLLOWS:

In the Circuit Court of the First Circuit, the six lists (entitled Non-Hearing Motions: Appropriate Judge; Non-Hearing Motions: Civil Administrative Judge (or assigned judge); Non-Hearing Motions: Civil Motions Judge (or assigned judge); Oral Hearing Motions: Appropriate Judge; Oral Hearing Motions: Civil Administrative Judge (or assigned judge); and Oral Hearing Motions: Civil Motions Judge (or assigned judge)) attached hereto collectively as Exhibit A shall replace the four lists (entitled Non-Hearing Motions Civil Administrative Judge; Non-Hearing Motions Civil Motions Judge; Oral Hearing Motions Civil Administrative Judge; and Oral Hearing Motions Civil Motions Judge or Friday Motions Judge) that appear on Appendix C-1 through Appendix C-10 of the 1993 Civil Motions Procedures Manual.

Exhibit A to Civil Administrative Order No. 9.9

NON-HEARING MOTIONS: APPROPRIATE JUDGE

The judge who decided a motion, rendered a judgment, issued an order or took some other action determines the following non-hearing motions. If that judge is no longer available, the Civil Administrative Judge assigns a judge to determine the motion.

1. Alter, Amend, Clarify, Reconsider, Set Aside and/or Vacate an Order and/or a Judgment.

Exception: A Motion for Clarification of Minute Order, where no written order is filed, is an oral hearing motion set before the Judge who presided at the hearing.

Exception: A Motion for Reconsideration of an Order of Dismissal is an oral hearing motion.

2. Rehear a Motion.

Note: Whether the underlying motion was a hearing or non-hearing motion, the court may “rehear” the motion before a written order is filed.

NON-HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE (or assigned judge)
(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

1. Allow Additional Time to Name or Identify Doe Defendants
- 2.* Alter, Amend, Clarify, Reconsider, Set Aside and/or Vacate an order or judgment that the Civil Administrative Judge issued
3. Amend Answers
4. Amend Complaint, Cross-Claim, Counterclaim or any other claim
5. Amend Pre-Trial Statement or Responsive Pre-Trial Statement
Note: Motion to Strike Pre-Trial Statement or Responsive Pre-Trial Statement is a hearing motion.
6. Apply First Lien
7. Bifurcation as to Issues, or as to Third Party Claims.
Note: See Civil Administrative Judge’s Wednesday hearing calendar for Bifurcation as to Parties.
8. Certify or Identify Doe Defendants
9. Change of Venue
10. Clerk to Sign Quitclaim Deed
11. Consolidate (Must have consolidated captions)
12. Continue Action by or Against Representative of Incompetent Party (HRCP Rule 25(b))
13. Expunge Lis Pendens
14. Extend Time to Name Witness or Extend Time to Name Final Witness or Extend Witness Cut-off Date
15. Extend Time to File Certification of Doe Defendants

NON-HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE, continued

(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

16. Extend Time to File Objections to Dismissal (Circuit Court Rule 12(q))
17. Extension of Time to File Pre-Trial Statement or Responsive Pre-Trial Statement
Note: may be done ex parte or by Stipulation and Order
18. Extension of Time to Respond to Non Hearing Motions Filed
19. File Counterclaim, Cross Claim or any other Claim
20. File Third Party Complaint (Rule 14(a), HRCP)
21. Intervene
22. Joinder or Non-Joinder of Parties
23. Jury Trial
24. Leave to Dispose of Property Free & Clear
25. Leave to Present Counterclaim Maturing or Acquired After Pleading
26. Leave to Set up Omitted Counterclaim by Amendment
27. More Definite Statement
28. Open Sealed Deposition
29. Payment of Undisputed Portion of Estimated Compensation
- 30.* Rehear a Motion decided by the Civil Administrative Judge (before a written order is filed)
31. Release Mortgage
32. Set Aside Default or Vacate Entry of Default (entered by Clerk)

NON-HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE, continued

(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

- 33. Set Aside Entry of Default Judgment
- 34. Sever Claims
- 35. Strike Claims
- 36. Substitution of Parties
- 37. Withdraw Monies

NON-HEARING MOTIONS: CIVIL MOTIONS JUDGE (or assigned judge)
(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

- 1.** Alter, Amend, Clarify, Reconsider, Set Aside and/or Vacate an order or judgment that Civil Motions Judge issued
2. Attorney’s Charging Lien
3. Add to Record on Appeal in an Agency Appeal
4. Attorney’s Fees
Exceptions:
 - A Motion for Attorney’s Fees as a sanction pursuant to HRCF Rule 11 is a hearing motion on the Civil Motions Judge’s General Motions Calendar.
 - A Motion for Attorney’s Fees as a sanction pursuant to HRCF Rule 37 is a non-hearing motion or a hearing motion on the Civil Motions Judge’s Discovery Calendar.
 - A Motion for Attorney’s Fees and Costs in a foreclosure action is a hearing motion on the Civil Administrative Judge’s Thursday Foreclosure Calendar.
5. Appoint Arbitrator pursuant to HRS §431-10C (determined on a shortened time basis)
6. DISCOVERY

Discovery motions citing Rules 26 through 37 may be determined with or without oral hearing, at the movant’s discretion, except that the following motions are hearing motions set on the Civil Motions Judge’s General Motions calendar: (1) a Motion for a Protective Order (or Motion to Quash a Protective Order); (2) a Motion for Discovery Conference under HRCF Rule 26(f); and (3) a Motion for an Order Concerning the Sequence of Discovery, under HRCF Rule 26(d).

In addition, a motion to extend discovery cut-off or any other discovery cut-off motion is a hearing motion on the Civil Administrative Judge’s Wednesday calendar.

NON-HEARING MOTIONS: CIVIL MOTIONS JUDGE, continued

(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

Discovery motions that are hearing or non hearing at the movant’s option include but are not limited to the following:

- Authorize Deposition to Perpetuate Testimony (HRCF Rule 27(a)(1))
- Compel Answers to Interrogatories
- Compel Attendance
- Compel Compliance with Subpoena
- Compel Designation of Person to Testify on Behalf of a Corporation or Entity
- Compel Discovery under Rule 26(b)(1)
- Compel Discovery and for Sanctions
- Compel Inspection of Documentary Evidence
- Compel Inspection
- Compel Production of Documents
- Compel Production of Documents and for Attorney’s Fees
- Conduct Deposition by Videotape
- Determination of Sufficiency of Answers
- Different Time to Serve Notice of Deposition
- Enlarge or Shorten Time for Taking Deposition
- Enlarge or Shorten Time to Serve Questions
- Enlarge Time to Respond to Motion to Compel Production of Documents
- Expert Fees
- Extension of Time to Answer Interrogatories
- File Discovery Materials not Automatically Filed
- File more than 60 Written Interrogatories
- Independent Medical Examination
- Modify or Quash a Subpoena
- Order Concerning Taking of a Deposition in an Ex Parte Proceeding
- Order Deposition to be Taken by Telephone
- Require Delivery of a Report of Examination
- Require Payment of Expenses to Prove the Genuineness of a Document or Truth of a Matter
- Sanctions pursuant to Rule 37 (including Default, Dismissal, Stay of Further Proceedings, Strike Pleadings)
- Sanctions for Certification Made in Violation of Rule 26(f)
- Shorten or Extend Time to Answer or Object to Request for Admission
- Stay Further Proceedings (as sanction pursuant to Rule 37)

NON-HEARING MOTIONS: CIVIL MOTIONS JUDGE, continued

(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

- Strike Pleadings (as sanction pursuant to Rule 37)
- Supplement Answers
- Suppress
- Take Deposition less than 30 days after Service of Summons and Complaint
- Take Deposition of a Person Confined in Prison
- Take Deposition to Perpetuate Testimony
- Terminate or Limit Oral Examination
- Withdraw or Amend an Admission

- 7. Extend Time to File Motion for Summary Judgment (less than 50 days before Trial Date)

- 8.** Rehear a Motion Decided by the Civil Motions Judge (before a written order is filed)

- 9. Reimbursement of Out-of-Pocket Expenses

- 10. Set Aside Default or Vacate Entry of Default (entered by the Court)

ORAL HEARING MOTIONS: APPROPRIATE JUDGE

The judge who decided a motion, rendered a judgment, issued an order or took some other action determines the following hearing motions. If that judge is no longer available, the Civil Administrative Judge assigns a judge to determine the motion.

1. Clarification of Minute Order (where no written order was filed)

Set before the judge who presided at the hearing. If that judge was the Administrative Judge, set the Motion for Clarification on the same calendar as the hearing on the original motion.

2. Dissolve or Modify a Temporary Restraining Order

Set before the judge who granted the TRO. If the Administrative Judge granted the TRO, set on the Administrative Judge's Wednesday calendar.

3. Enforce Entry of Final Judgment

4. Application for Interlocutory Appeal of Order/Judgment

5. Relief from Judgment

6. Rule 54(b) Certification

7. Sanctions for Non-compliance with a Judge's Order.

Set before the judge who issued the order.

Note: The Civil Motions Judge hears Rule 37 motions for discovery sanctions.

8. Review or Set Aside Taxation of Costs .

Set before the judge who taxed the costs.

Note: Objections to a Notice of Taxation of Costs are referred to the trial judge for scheduling. Motions for Review of Clerk's Taxation of Costs are set before the Civil Motions Judge.

ORAL HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE (or assigned judge)
(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

1. Add, Exclude, Strike Witness (Wednesday)
Note: A motion to extend witness cut-off date is a non-hearing motion.
2. Allow an Act to be Done, Failure a Result of Excusable Neglect (Rule 6(b), HRCp) (Wednesday)
3. Alternate Dispute Resolution (Rule 12.2 CCR) (Wednesday 8:30 or 9:30)
4. Appear Pro Hac Vice (Wednesday)
5. Appointment of Receiver (in a Foreclosure case) (Thursday)
Note: The Civil Motions Judge hears motions for appointment of a receiver in cases other than foreclosure.
6. Appointment of Special Master (Wednesday)
7. Attorney’s Fees and Costs (in a Foreclosure case) (Thursday)
Note: The Civil Motions Judge hears motions for attorney’s fees and costs in cases other than foreclosure.
8. Bifurcation as to Parties (Wednesday)
Note: The Civil Administrative Judge hears on a non-hearing basis motions for bifurcation as to issues and as to third party claims.
9. Cancellation of Agreement of Sale (Foreclosure) (Thursday)
- 10.* Clarification of Minute Order where the Administrative Judge presided at the hearing and no written order was filed.
Set on the same calendar as the original hearing
11. Clarification of Status of Case (HRS § 603-21.9,(1) & (6)) (Wednesday)
12. Class Certification (Wednesday)
13. Complex Litigation, Designation as (Wednesday)

ORAL HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE, continued
(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

14. Confirmation of Sale (Foreclosure) (Thursday)
 15. Continue Hearing Date.
 16. Continue Trial/Trial Date (Wednesday)
The written request of client(s) is required. Counsel may state in an affidavit/declaration that the written consent will be forthcoming.
 17. Decree of Foreclosure, Summary Judgment (in foreclosure), Default Judgment (in foreclosure) (Monday)

Note: If a Motion for Summary Judgment and Interlocutory Decree of Foreclosure is presented together with a Motion for Confirmation of Sale, both motions are set on the Thursday calendar.
 18. Default and Default Judgment on Proof (Rule 55, HRCp) (Tuesday)
(combined as one motion)
 19. Default Judgment on Proof (Rule 55 HRCp) (Tuesday)
 20. Deficiency Judgment (Foreclosure) (Thursday)
- Designation as Complex Litigation. See item 13 above.
21. Extend Discovery Cut-Off or any Discovery Cut-off Motion (Wednesday)
Must specify "Discovery Cut-Off" in Title
 22. Distribution of Proceeds (Foreclosure) (Thursday)
 23. Enlarge Time (Rule 6(b), HRCp) (Wednesday)
 24. Enforce Entry of Final Judgment entered pursuant to HRCp Rule 68
 - 25.* Enforce Entry of Final Judgment entered by Civil Administrative Judge
 26. Extension of Time to Answer Complaint or any Claims (Wednesday)

ORAL HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE, continued
(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

27. FORECLOSURE:

The following foreclosure motions are set on the Monday calendar:
Decree of Foreclosure, Summary Judgment, Default Judgment

The following foreclosure motions are set on the Thursday calendar
Appointment of Receiver
Attorney’s Fees and Costs
Confirmation of Sale
Deficiency Judgment
Distribution of Proceeds
Instructions
Relief from Findings of Fact, Conclusions of Law and Order Granting
Summary Judgment and Interlocutory Decree of Foreclosure
Sale Without Open House
Set Aside Sale

Note: If a motion for summary judgment and interlocutory decree of foreclosure is presented together with a motion for confirmation of sale, both motions are set on the Thursday calendar.

28. Further Discovery Beyond Cut-Off (Wednesday)

29. Instructions (Foreclosure) (Thursday)

30.* Interlocutory Appeal of Order or Judgment rendered by the Civil Administrative Judge.

31. Jury Trial in Probate Proceedings (Wednesday)

32. MOTIONS NOT LISTED:

Aside from motions entitled to be heard *ex parte* and motions made in open court, any motion that is *not* listed as a hearing motion, non-hearing motion or discovery motion in the Civil Motions Procedures Manual is a hearing motion. The Civil Administrative Judge hears procedural motions and matters related to the civil trial calendar (such as motions to add or strike witnesses).

ORAL HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE, continued
(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

33. Order that Service Need Not be Made as Between Numerous Defendants (Wednesday)
34. Post Statutory Cash Bond (HRS § 607-25 (e)(2)) (Wednesday)
35. Preliminary Injunction (Refer to Civil Administrative Judge's Office for Review)
 - If TRO-related, Law Clerks to schedule on the Civil Administrative Judge's calendar or refer to Civil Assignments for setting of Status Conference
 - If NOT TRO-related, Law Clerks will direct Filing Party to the Civil Motions Clerk to schedule in due course on the Civil Motions Judge's General Motions Calendar
36. PRISONERS
 - If a prisoner is movant or is entitled to notice of a motion, any hearing motion automatically becomes a non-hearing motion, to be decided by the judge who would have held the oral hearing.
37. Probable Cause Hearing (Tuesday PM)
38. Pro Hac Vice Appearance of Counsel. (Wednesday)
39. Quash Service, pursuant to Rule 12(b)(5) (Wednesday)
 - Note: A motion to quash service or in the alternative to dismiss is heard by the Civil Motions Judge.
40. Reconsideration, Rehearing, Relief from, Set Aside, Vacate any Final Order of Dismissal by Court; Reinstate Case (Rules 28, 29 or 12(q), Rules of the Circuit Courts) (Wednesday)
- 41.* Relief from Judgment rendered by the Civil Administrative Judge
42. Relief from Findings of Fact, Conclusions of Law and Order Granting Summary Judgment and Interlocutory Decree of Foreclosure (Thursday)
- 43.* Rule 54(b) Certification of judgment, order or decree rendered by Civil Administrative Judge

ORAL HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE, continued
(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

- 44. Sale Without Open House (Foreclosure) (Thursday)
- 45.* Sanctions for Noncompliance with Order issued by Civil Administrative Judge
- 46. Set Aside Sale (Foreclosure) (Thursday)
- 47. Set or Re-Set Trial Date (Wednesday)
- 48. Strike Answer (to a Complaint or to any claim) (Wednesday)
- 49. Strike Case from Trial Calendar (Wednesday)
- 50. Strike from Pleading Insufficient Defense (Wednesday)
- 51. Strike from Pleading Redundant, Immaterial, Impertinent, Scandalous Matter (Wednesday)
- 52. Strike Pre-Trial Statement or Responsive Pre-Trial Statement (Wednesday)
Note: a Motion to Amend Pre-Trial Statement or Responsive Pre-Trial Statement is a non-hearing motion.
- 53.* Taxation of Costs, Motion to Review or Set Aside Costs Taxed by the Civil Administrative Judge
- 54. Temporary Restraining Order (Refer to Administrative Judge's Office)
Usually heard in chambers
Motion filed if accompanied by an Order for a TRO after chamber conference or if a hearing date is assigned and the motion is initialed by Judge's clerk
- 55.* Temporary Restraining Order, Motion to Dissolve or to Modify, if the Civil Administrative Judge granted the TRO (Wednesday)
- 56. Vacate Arbitration Award (Court Annexed Arbitration) (Tuesday)
- 57. Vacate Exemplified Foreign Judgment (SP) (Wednesday)

ORAL HEARING MOTIONS: CIVIL ADMINISTRATIVE JUDGE, continued

(“*” indicates the Civil Administrative Judge is the “Appropriate Judge”)

- 58. Vacate Workers’ Compensation Statutory First Lien
- 59. Withdrawal of Counsel
 - Per Rule 4 and Rule 10.1, Rules of the Circuit Courts
 - Declaration or affidavit of counsel must include client's last-known address and telephone number.
 - Client must be "noticed"
 - Must indicate client informed as to responsibilities/consequences of Rule 4, Rules of the Circuit Court
- 60. Witness, to Exclude, to Add, to Strike (Wednesday)
 - Note: A Motion to extend witness cut-off date is a non-hearing motion.

ORAL HEARING MOTIONS: CIVIL MOTIONS JUDGE (or assigned judge)
(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

1. Appointment of Arbitrator
Exception: A motion to appoint an arbitrator pursuant to HRS §431-10C is a non-hearing motion determined by the Civil Motions Judge on a shortened time basis.
2. Appointment of Receiver
Exception: A motion for appointment of a receiver in a foreclosure case is heard by the Civil Administrative Judge.

3. **ARBITRATION:**

Compel Arbitration

Confirm Arbitration (non-Court Annexed Arbitration)

Compel, Confirm, Enforce, Modify an Arbitration Award

-If Court-Annexed Arbitration, refer to Arbitration Judge for review

-If to be set on general motions calendar, it will be initialed
by Arbitration Judge's Clerk

Stay Proceedings Pending Arbitration

-If Court-Annexed Arbitration, refer to Arbitration Judge for review

-If to be set on general motions calendar, it will be initialed by
Arbitration Judge's Clerk

Vacate Arbitration Award (non-Court Annexed Arbitration)

-If to Vacate Arbitration Award, and it is a Court-Annexed Arbitration
Case, set on Civil Administrative Judge's Tuesday Calendar for
evidentiary hearing

4. **Attorney's Fees** (pursuant to Rule 11 only)

Note: A motion for attorney's fees as a sanction pursuant to HRCF Rule 37 is, at the movant's discretion, a non-hearing motion or a hearing motion on the Civil Motions Judge's Discovery Calendar. A motion for attorney's fees and costs in a foreclosure case is a hearing motion on the Civil Administrative Judge's Thursday calendar.

All other motions for attorney's fees are determined by the Civil Motions Judge on a non-hearing basis.

ORAL HEARING MOTIONS: CIVIL MOTIONS JUDGE, continued

(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

5. Charging Order Against Partnership Interest (HRS § 425-128)
- 6.** Clarification of Minute Order where the Civil Motions Judge presided at the hearing (and no written order was filed)
7. Compel Compliance with HRS § 171-4
8. Condemn and Destroy Seized Evidence (Liquor Commission)
9. Continue Hearing Date
10. Default Judgment (Rule 37) (Discovery sanction)
Rule 37: optional hearing or non-hearing at movant’s discretion. Set as for Discovery Motions.
11. Determining Unsuitability for Review by Design Professional Conciliation Panel
12. Direct Payment from Contractor's Recovery Fund
13. Discovery Conference (Rule 26(f), HRCP)
Unlike other discovery motions that are hearing or non-hearing at the option of movant, the motion for a discovery conference is a hearing motion set on the Civil Motions Judge’s General Motions calendar.
14. DISCOVERY

Discovery motions citing Rules 26 through 37 may be determined with or without oral hearing, at the movant’s discretion, except that the following motions are hearing motions set on the Civil Motions Judge’s General Motions calendar: (1) a Motion for a Protective Order (or Motion to Quash a Protective Order); (2) a Motion for Discovery Conference under HRCP Rule 26(f); and (3) a Motion for an Order Concerning the Sequence of Discovery, under HRCP Rule 26(d).

In addition, a motion to extend discovery cut-off or any other discovery cut-off motion is a hearing motion on the Civil Administrative Judge’s Wednesday calendar.

ORAL HEARING MOTIONS: CIVIL MOTIONS JUDGE, continued

(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

If the movant opts to request an oral hearing, the motion is set for hearing on the Civil Motions Judge’s calendar at the earliest available Tuesday, Wednesday, Thursday or Friday time slot at 10:30 am. A list of discovery motions that are hearing or non-hearing at the movant’s discretion is included under the heading DISCOVERY in the list of NON-HEARING MOTIONS: CIVIL MOTIONS JUDGE.

15. Dismiss:

- Rule 12(b)(6) - 18-Day Notice Required
- A Rule 37 motion to dismiss as a discovery sanction is optional hearing or non-hearing at movant's discretion. Set as for Discovery Motions.
- Although a motion to quash service standing alone is heard by the Civil Administrative Judge, a motion to quash service or in the alternative to dismiss is heard by the Civil Motions Judge

16. Disqualify Counsel (pursuant to the Hawai‘i Rules of Professional Conduct)

Dissolve TRO. See item no. 54 below.

17.** Enforce Entry of Final Judgment, if the Civil Motions Judge entered the Judgment

Note: If the judge who entered judgment is no longer available, set before a judge assigned by the Civil Administrative Judge

18. Enforce Government Appeal Decision (Monday 9:00 a.m.)

19. Enforce Liability of a Surety

20. Enforce Settlement Agreement

21. Enforce Labor and Industrial Relations Decision (or any other Board Decision) (Monday 9:00 a.m.)

22. Establish a Court Administered Rent Trust Fund.

23. Examination of Judgment Debtor/Person Having Knowledge (Monday)

24. Extend, Review, Revive Judgment pursuant to HRS § 657-5 (Re: 10-year limitation)

ORAL HEARING MOTIONS: CIVIL MOTIONS JUDGE, continued

(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

25. Extend Time to Present Designation of Record on Appeal in a Government Agency Appeal case (Monday, 9:00 a.m.)
26. Garnishee Order
27. Government Agency Appeals Motions (Monday, 9:00 am)
28. Habeas Corpus, Issuance of (10-day notice required)
29. Immediate Consideration/Immediate Possession
30. Inspection of Public Record
- 31.** Interlocutory Appeal of Order/Judgment if Civil Motions Judge rendered decision
 - If said Judge is no longer available, set before a Judge assigned by the Civil Administrative Judge
32. Judgment on the Pleadings (18-day notice required)
33. Leave to Deposit in Court a Sum of Money or Other Thing (HRCP Rule 67)
34. Mechanic's and Materialman's Lien
 - Schedule 10 days from filing of application
 - If tenth day falls on weekend or holiday, then set on next working day
35. MOTIONS NOT LISTED:
 - Aside from motions entitled to be heard *ex parte* and motions made in open court, any motion that is *not* listed as a hearing motion, non-hearing motion or discovery motion in the Civil Motions Procedures Manual is a hearing Motion. The Civil Motions Judge hears substantive motions (such as motions to dismiss and motions for summary judgment) and Discovery Motions.
36. Order Concerning Sequence of Discovery pursuant to Rule 26(d), HRCP
 - This hearing motion is set on the Civil Motions Judge’s General Motions calendar, not on the Discovery calendar

ORAL HEARING MOTIONS: CIVIL MOTIONS JUDGE, continued

(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

- 37. Order to Show Cause
- 38. Post Bond, to Compel
- 39. Post-Judgment Interest
- 40. Pre-Judgment Garnishee Summons
- 41. PRISONERS
If a prisoner is movant or is entitled to notice of a motion, any hearing motion automatically becomes a non-hearing motion, to be decided by the judge who would have held the oral hearing.
- 42. Protective Order or To Quash Protective Order
- 43.** Relief from Judgment if the Civil Motions Judge rendered the judgment
-If said Judge is no longer available, set before a Judge assigned by the Civil Administrative Judge
- 44.** Rule 54(b) Certification, if the judgment, order or decree was rendered by the Civil Motions Judge. If said Judge is no longer available, set before a judge assigned by the Civil Administrative Judge.
- 45.** Sanctions for Non-compliance with an order issued by the Civil Motions Judge
- 46. Sanctions (pursuant to Rule 11)
- 47. Special Proceedings Motion
- 48. Stay Execution of or Proceedings to Enforce Judgment (HRCF Rule 62(b))

ORAL HEARING MOTIONS: CIVIL MOTIONS JUDGE, continued

(“**” indicates the Civil Motions Judge is the “Appropriate Judge”)

49. Stay Proceedings:
- Pending Appeal/Interlocutory Appeal. Set before Motions Judge regardless of judge assigned to case.
 - Pending matters before U.S.D.C.
 - Pending arbitration
 - If Court-Annexed Arbitration, refer to Arbitration Judge for review
 - If to be set on general motions calendar, it will be initialed by the Arbitration Judge's Clerk
50. Suspend, Modify, Restore or Grant Injunction During Pendency or Appeal (HRCF Rule 62(c))
51. Summary Judgment (18-day notice required)
Exception: A motion for summary judgment in foreclosure is a hearing motion on the Civil Administrative Judge’s Monday calendar.
- 52.** Taxation of Costs, Motion to Review or Set Aside Costs Taxed by the Civil Motions Judge
53. Taxation of Costs, Motion to Review Clerk's Taxation of Costs
Note: An Objection to a Notice of Taxation of Costs is referred to the trial judge for scheduling, not to the Motions Judge.
- 54.** Temporary Restraining Order, to Dissolve or to Modify, if the Judge who granted TRO was the Civil Motions Judge
55. Writ of Possession

CIRCUIT COURT ADMINISTRATIVE ORDERS

Volume I
CIVIL ADMINISTRATIVE ORDERS

Part C
**SECOND, THIRD AND FIFTH CIRCUIT COURT
CIVIL ADMINISTRATIVE ORDERS**

Part C **SECOND, THIRD AND FIFTH CIRCUIT COURT
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Table of Contents

This Part C is reserved for future use. As of 1998, all Civil Administrative Orders applicable to the Second, Third, and Fifth Circuits apply statewide and are included in Part A.